

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:20-CR-257-MOC

UNITED STATES OF AMERICA,

Vs.

ROBERT BYAM,

Defendant.

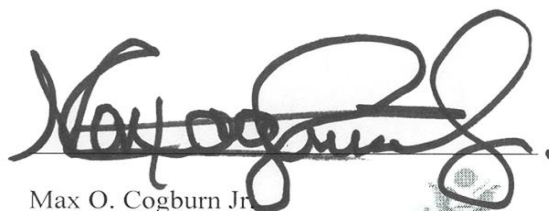
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ORDER

THIS MATTER is before the Court on Defendant's Pro Se "Motion for the Enforcement and Compelling Former Defense Counsel Full Compliance with Rule 1.16 of the Rules of Professional Conduct," in which Defendant seeks an Order from the Court requiring former defense counsel to turn over Defendant's case file to him so he can file a motion for post-conviction relief. (Doc. No. 42). It is unclear to the Court whether defense counsel had an agreement with the Government not to turn over discovery materials to Defendant. See United States v. Butler, 2000 WL 134697, at *2 (D. Kan. Jan. 21, 2000) (holding defense counsel to agreement with government not to release discovery materials to the defendant; government's restrictive policy on the dissemination of discovery materials is necessary to avoid the further release of materials to others). Therefore, the Court will require the Government to respond, within 20 days, to Defendant's motion to assert what materials to which Defendant may be entitled from his former trial counsel.

IT IS SO ORDERED.

Signed: November 21, 2023



Max O. Cogburn Jr.
United States District Judge